

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ OCT 3 - 2019 ★

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ERIC ADAMS,

Petitioner,

-against-

BLAKE R. DAVIS, Warden, and  
PETER A. NORLING,

Respondents.  
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BROOKLYN OFFICE

NOT FOR PUBLICATION  
**MEMORANDUM & ORDER**  
12-CV-01862 (CBA)

**AMON, United States District Judge:**

On April 12, 2012, Petitioner Eric Adams, proceeding pro se, filed a § 2241 petition, (D.E. # 1), and a motion for leave to proceed in forma pauperis (“IFP”), (D.E. # 2), with this Court. On April 24, 2012, the Court granted Adams’s IFP motion for purposes of the Court’s memorandum and order and dismissed Adams’s § 2241 petition. (D.E. dated April 24, 2012.) The Court further certified, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from its April 24, 2012 order would not be taken in good faith and therefore denied IFP for purposes of an appeal. (Id.) The Court directed the Clerk of Court to close the action. (Id.)

On August 4, 2014, Adams filed a motion pursuant to Federal Rule of Civil Procedure 60(b)(6) seeking to vacate the Court’s order dated April 24, 2012, and requesting to be refunded the \$455 filing fee he paid in connection with his appeal to the Court of Appeals for the Second Circuit. (D.E. # 9.) On May 13, 2015, this Court issued a memorandum and order denying Adams’s Rule 60(b)(6) motion and denying his request for a refund. (D.E. # 12.) On January 25, 2016, the Second Circuit issued a mandate denying Adams’s motion for IFP status and dismissing his appeal because it “lacks an arguable basis either in law or in fact.” (Mandate, Adams v. United States, 12-cv-1862(CBA), D.E. # 17.)

Nearly a year after the Second Circuit issued this mandate, Adams filed with this Court a “Motion that the Court Renew Notice of Appeal of Rule 60(b)(6) Motion under New Case Number

to Allow Petitioner to Seek IFP Status in Both the District Court and Appeals Court.” (D.E. # 18.) To the extent the Court understands Adams’s request, the Court lacks jurisdiction to rule on it. Goode v. Winkler, 252 F.3d 242, 245 (2d Cir. 2001) (internal quotation marks omitted) (quoting Mendes Junior Int’l Co. v. Banco Do Brasil, S.A., 215 F.3d 306, 312 (2d Cir. 2000)) (“The power of the federal courts to extend the time limits on the invocation of appellate jurisdiction is severely circumscribed.”); see also Cohen v. Empire Blue Cross & Blue Shield, 142 F.3d 116, 118–19 (2d Cir. 1998) (holding that the district court’s ruling on the merits of plaintiff’s motion for extension of time for filing notice of appeal was improper and must be vacated). No further filings by Adams under this docket number shall be accepted.

This case is closed; the Clerk of Court is respectfully directed to mail a copy of this Memorandum and Order to Mr. Adams and to not accept any further filings from him under this docket number.

SO ORDERED.

Dated: October 3, 2019  
Brooklyn, New York

s/Carol Bagley Amon  
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Carol Bagley Amon  
United States District Judge